

HARYANA GOVERNMENT
ADMINISTRATION OF JUSTICE DEPARTMENT

Notification

The 25th February, 2022

No. G.S.R. 1/Const./Art. 309/2022.— In exercise of the powers conferred under the proviso to article 309 of the Constitution of India, the Governor of Haryana hereby makes the following rules further to amend the Haryana State Prosecution Department Legal Service (Group A) Rules, 2013, namely:-

1. These rules may be called the Haryana State Prosecution Department Legal Service (Group A) Amendment Rules, 2022.

2. In the Haryana State Prosecution Department Legal Service (Group A) Rules, 2013 (hereinafter called the said rules), in rule 2, after clause (c), the following clause shall be inserted, namely,-

‘(ca) “Director” means the Director of Prosecution (General), Haryana;’.

3. In the said rules, in rule 9, in sub rule (1),-

i. for clause (a), the following clauses shall be substituted, namely:-

“(a) in the case of Director of Prosecution (General)-

by promotion from amongst the Additional Directors, on merit-cum-seniority basis with the concurrence of the Chief Justice, Punjab and Haryana High Court in terms of section 25 A of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) for a period of three years or upto the date of attaining the age of superannuation, whichever is earlier, subject to satisfactory work and conduct. On completion of the term of three years before the date of attaining the age of superannuation, he shall be re-designated as Director of Prosecution (Special) or may be considered for appointment on deputation/foreign service in any other Department of the State Government or any other State Government or any Board or Corporation etc., owned or controlled by the State Government or any other State Government for the post of same or higher pay level/scale;

(aa) in the case of Director of Prosecution (Special)-

the Director of Prosecution (General) after completion of the term of three years shall be re-designated as Director of Prosecution (Special) till the date of attaining the age of superannuation;”;

ii. after clause (c), the following clause shall be added, namely:-

“(d) in the case of Deputy District Attorney-

(i) 25% by direct recruitment, and

(ii) 75% by promotion from amongst the Assistant District Attorney; or

(iii) by transfer or deputation of an officer already in service of any State Government or the Government of India.”.

4. In the said rules, for rule 14, the following rule shall be substituted, namely:-

“14. Discipline, penalties and appeals.- (1) In matters relating to discipline, penalties and appeals, members of the Service shall be governed by the Haryana Civil Services (Punishment and Appeal) Rules, 2016, as amended from time to time:

Provided that the nature of penalties which may be imposed, the authority empowered to impose penalties and the appellate authority shall, subject to the provisions of any law or rules made under article 309 of the Constitution of India, be such as are specified in Appendix C to these rules.

(2) The authority competent to pass an order under clause (c) or clause (d) of rule 9 of the Haryana Civil Services (Punishment and Appeal) Rules, 2016 and the appellate authority shall be such as specified in Appendix D to these rules.”.

5. For Appendices A, Band C, the following Appendices shall be substituted, namely:-

“Appendix A
(see rule 3)

Serial number	Designation of Post	Number of posts	Scale of pay
1	2	3	4
1.	Director of Prosecution (General)	1	FPL-15, Cell I=₹123400/-
2	Director of Prosecution (Special)	1	FPL-15, Cell I=₹123400/-
3	Additional Director	2	FPL-14, Cell I=₹123100/-
4	District Attorney	56	FPL-12, Cell I=₹78800/-
5	Deputy District Attorney	187	FPL-11, Cell I=₹67700/-

Appendix B
(see rule 7)

Serial number	Designation of Post	Academic qualifications and experience, if any, for direct recruitment	Academic qualifications and experience, if any, for appointment other than by direct recruitment
1	2	3	4
1.	Director of Prosecution (General)	—	By Promotion- Who has worked as Additional Director for a period of not less than one year.
2	Director of Prosecution (Special)	—	By re-designation- who has worked as Director of Prosecution (General) for a period of not less than three years.
3	Additional Director	—	By Promotion- who has worked as District Attorneys for a period of not less than two years.
4	District Attorney	(i) Degree of Bachelor of Law (Professional) from a recognised university; (ii) should have practised as an advocate for a period not less than seven years; and (iii) Hindi or Sanskrit as one of the subject in Matric or Higher Education.	By Promotion- who has worked as Deputy District Attorney for a period of not less than three years.
5	Deputy District Attorney	(i) Degree of Bachelor of Law (Professional) from a recognised university; (ii) who has practised as an advocate or a pleader at the Bar for a period of not less than five years; and (iii) Hindi or Sanskrit as one of the subject in Matric or Higher Education.	By Promotion- who has worked as Assistant District Attorney for a period of not less than five years. By transfer or deputation- (i) who has worked as Assistant District Attorney for a period of not less than five years; OR

Serial number	Designation of Post	Academic qualifications and experience, if any, for direct recruitment	Academic qualifications and experience, if any, for appointment other than by direct recruitment
1	2	3	4
			who has worked as law officer or on equivalent regular post in any department of Government or Board or Corporation for a period of not less than five years; and (ii) Hindi or Sanskrit as one of the subject in Matric or Higher Education.

Appendix c

[see rule 14 (1)]

Serial number	Designation of Post	Appointing authority	Nature of penalty	Authority empowered impose penalty
1	2	3	4	5
1	Director of Prosecution (General)	Government	(i) Minor Penalties- As prescribed in the Haryana Civil Services (Punishment and Appeal) Rules, 2016. (ii) Major Penalties- As prescribed in the Haryana Civil Services (Punishment and Appeal) Rules, 2016.	Government
2	Director of Prosecution (Special)			
3	Additional Director			
4	District Attorney			
5	Deputy District Attorney			

Appendix D

[see rule 14 (2)]

Serial number	Designation of Post	Nature of order	Authority empowered to made the order	Appellate authority
1	2	3	4	5
1	Director of Prosecution (General)	(i) reducing or withholding the amount of ordinary or additional pension admissible under the rules governing pension; (ii) terminating the appointment of a member of the service otherwise than on his attaining the age fixed for superannuation.	Government	Government".
2	Director of Prosecution (Special)			
3	Additional Director			
4	District Attorney			
5	Deputy District Attorney			

RAJEEV ARORA,
Additional Chief Secretary to Government, Haryana,
Administration of Justice Department.